

BIRCH, STEWART, KOLASCH & BIRCH, LLP

TERRELL C. BIRCH
RAYMOND C. STEWART
JOSEPH A. KOLASCH
JAMES M. SLATTERY
MICHAEL K. MUTTER
CHARLES GORENSTEIN
GERALD M. MURPHY, JR.
LEONARD R. SVENSSON
ANDREW D. MEIKLE
MARC S. WEINER
JOE MCKINNEY MUNCY
ROBERT J. KENNEY
JOHN W. BAILEY
MARK J. NUELL, PH.D.
JAMES T. ELLER, JR.
D. RICHARD ANDERSON
THOMAS M. SMALLY
ROBERT A. SELDON
JOHN A. SCILLIERI*
SANFORD ASTOR*

OF COUNSEL:
HERBERT M. BIRCH (1905-1996)
BERNARD L. SWEENEY*
ELLIOT A. GOLDBERG*
WILLIAM L. GATES*
EDWARD H. VALANCE
RUPERT J. BRADY (RET.)*
F. PRINCE BUTLER
FRED S. WHISENHUNT (RET.)
JAMES W. HELLWEGE
QUENTIN R. "RICK" CORRIE
ROBERT F. GNUSE
DAVID R. MURPHY
ROBERT M. ASHEN
MICHAEL R. CAMMARATA

*ADMITTED TO A BAR OTHER THAN VA.

INTELLECTUAL PROPERTY LAW
8110 GATEHOUSE ROAD
SUITE 100 EAST
FALLS CHURCH, VA 22042-1248
U S A
(703) 205-8000

FAX: (703) 205-8050
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com
web: http://www.bskb.com

CALIFORNIA OFFICES:
COSTA MESA, CALIFORNIA
LOS ANGELES, CALIFORNIA

SCOTT L. LOWE
PAUL C. LEWIS
RICHARD GALLAGHER
MARYANNE ARMSTRONG, PH.D.
KECIA J. REYNOLDS
KALPANA REDDY
ESTHER H. CHONG
CATHERINE M. VOISINET*
EUGENE T. PEREZ
CAROLYN T. BAUMGARDNER*
MARTIN R. GEISSLER*
J. ALISON GRABELL*
T. BENJAMIN SCHROEDER, PH.D.
PERCY L. SQUARE
HYUNG N. SOHN
CLINT A. GERDINE
CRAIG A. MCROBBIE
WILLIAM F. NIXON*
DANIEL K. DORSEY
MATTHEW T. SHANLEY

REG. PATENT AGENTS:
FREDERICK R. HANDREN
MAKI HATSUMI
GARTH M. DAHLEN, PH.D.
ROBERT E. GOOZNER, PH.D.
KRISTI L. RUPERT, PH.D.
SUSAN W. GORMAN, PH.D.
ROBERT W. DOWNS
CHAD J. BILLINGS
CHRISTINE V. CASTILLO
CARL T. THOMSEN
SAM BHATTACHARYA
BRADLEY C. FACH

Date: August 4, 2003

Docket No.: 2750-1570P

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a continuation divisional
 continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 09/649,866 filed on August 23,
2000, the entire contents of which are hereby incorporated by
reference.

by:

ALEXANDROV, Nickolai; BROVER, Vyacheslav; DUMAS, Jean-Baptiste;
TROUKHAN, Maxim

for:

SEQUENCE-DETERMINED DNA FRAGMENTS AND CORRESPONDING POLYPEPTIDES
ENCODED THEREBY

1. Enclosed is an application consisting of a specification (83 pages), claims (3 pages), a schematic (1 page) and an abstract (1 page) totaling eighty-eight (88) pages. Two identical copies of compact disks are also enclosed herewith as part of this application.

2. The filing fee has been calculated as follows:

		LARGE ENTITY		SMALL ENTITY		
BASIC FEE		\$710.00		\$370.00		
	NUMBER FILED	NUMBER EXTRA	RATE	Fee	RATE	Fee
TOTAL CLAIMS	20-20 =	0	x 80	= \$0.00	x 9	= \$0.00
INDEPENDENT CLAIMS	1-3 =	0	x 80	= \$0.00	x 40	= \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED				+ \$270.00		+ \$135.00
		TOTAL		\$0.00		\$375.00

3. A check in the amount of \$0.00 to cover the filing fee and recording fee (if applicable) is enclosed.

4. Please charge Deposit Account No. 50-1055 in the amount of \$375.00. A triplicate copy of this request is enclosed.

5. Amend the specification by inserting before the first line thereof the following:

a. --This application is a continuation divisional continuation-in-part of co-pending Application No. 09/649,866, filed on August 23, 2000, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application Nos.: under 35 U.S.C. § 119.--

b. --This application is a continuation divisional continuation-in-part of co-pending Application No. 09/649,866, filed on August 23, 2000 and for which priority is claimed under 35 U.S.C. § 120. Application No. 09/649,866 is the national phase of PCT International Application No. PCT/____/____ filed on ____ under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. _____ filed in _____ on _____ under 35 U.S.C. § 119.--

6. Enclosed is/are _____ (____) sheet(s) of formal drawings and/or photographs.

7a. A statement claiming small entity status was filed in prior Application No. 09/649,866 on August 23, 2000.

7b. The current application qualifies for small entity status.

8. The prior application is assigned to _____.

9. A Preliminary Amendment is enclosed.

10a. This application is a continuation-in-part of co-pending Application No. 09/649,866 (Attorney No. 2750-1097P), filed on August 23, 2000, the entire contents of which are hereby incorporated by reference. Through application no. 09/649,866, this application also claims priority under 35 USC §119(e) of the following provisional application, the entire contents of which are hereby incorporated by reference:

Country	Filing Date	Attorney No.	Application No.
United States	8/23/1999	2750-0540P	60/149,930

12. Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
Telephone: (703) 205-8000
or
Customer No. 2292

13. An extension of time for three (3) month(s) until August 4, 2003 has been submitted in parent Application No. 09/649,866 in order to establish co-pendency with the present application.

14. Also enclosed herewith is the following:
ATCC deposit receipts 595, 1161, 1411, 2007, Petition
for Extensions of Time for application no. 09/649,866
Request for non-publication, CD-transmittal letter

15. Two identical sets of CD-Rs created using IBM-PC, MS-Windows operating system are also enclosed herewith. The files contained on the CD-R are as follows:

File Name:	Create Date:	File Size:
010809 Protein Domain Table	9/26/02	2.62 MB
2750-1570P Table 1	8/4/03	3.90 MB
2750-1570P Table 2	8/4/03	4.68 MB

If the Primary Deposit Account No. **50-1055** is deficient and non-payment will result in a loss of rights, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Raymond C. Stewart, #21,066

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

RCS/DRN/BCF
2750-1570P

Attachments

(Rev. 01/23/01)

PATENT
2750-1570P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Compact Disk TRANSMITTAL LETTER

15939 U.S. PRO
10/633229
08/04/03



Applicant: N. ALEXANDROV et al.

Appl. No.: NEW

Filed: August 4, 2003

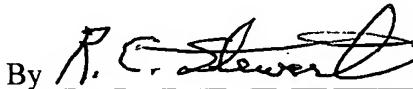
For: SEQUENCE-DETERMINED DNA FRAGMENTS AND CORRESPONDING
POLYPEPTIDES ENCODED THEREBY

The application identified above contains two (2) identical CD-Rs created using IBM-PC,
MS-Windows operating system. The files contained on the CD-R are as follows:

File Name:	Create Date:	File Size:
010809 Protein Domain Table	9/26/02	2.62 MB
2750-1570P Table 1	8/4/03	3.90 MB
2750-1570P Table 2	8/4/03	4.68 MB

If there are any problems concerning the Compact Disk Submission, please contact the
undersigned at telephone number 703-205-8000 or by facsimile at 703-205-8050.

Respectfully submitted,
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Raymond C. Stewart, #21,066
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

RCS/DRN/BCF
2750-1570P

Date: 8/4/03

PATENT
2750-1570P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Nickolai ALEXANDROV et al.

Appl. No.: NEW Group: UNASSIGNED

Filed: August 4, 2003 Examiner: UNASSIGNED

For: SEQUENCE-DETERMINED DNA FRAGMENTS AND
CORRESPONDING POLYPEPTIDES ENCODED THEREBY

REQUEST FOR NON-PUBLICATION

Assistant Commissioner for Patents
Washington, DC 20231

August 4, 2003

Sir:

To the best of my knowledge, I hereby certify that the invention claimed in the attached application **has not been and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication of this application at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b) (2) (B) (iii)).**

Appl. No. NEW

If the Primary Deposit Account No. 50-1055 is deficient and non-payment will result in a loss of rights, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Raymond C. Stewart, #21,066
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

RCS/DRN/BCF
2750-1570P